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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,951	03/13/2002	Kazuhito Kato	50353-584	4697

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EXAMINER

NGUYEN, KIMNHUNG T

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/070,951	KATO ET AL.	
	Examiner	Art Unit	
	Kimnhung Nguyen	2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-19 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Application has been examined. The claims 1-19 are pending. The examination results are as following.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 4-5, 7-8, 10-11 and 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Hayashi (EP 0953826 A2 cited by Applicant).

Regarding claims 1-2, 7, 16-17, Hayashi discloses in figure 1, a display apparatus for an automotive vehicle comprising an image display (12) section; a present position measuring section that measures a present position of the vehicle (P0, see paragraph 0076, line 3); an inherent superimpose processing section that superimposes a mark representing the present position of the vehicle on the road map data image to display the road map data image on which the mark is superimposed through the image display section (see paragraph 0087, lines 16-18); and display control section (CPU6) that rotates the road map data image displayed on an image screen (see abstract) of the image display section in accordance with a traveling direction of the vehicle and varies a display form of the displayed road map data image between a region of the road map data image which is near to a displayed position at which the vehicle is present and another region of the road map data image (see fig. 10B, 10C, see 0087) which is remote from

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the displayed position thereof when rotating the road map data image on the image screen displayed on the image display section (see in input device 10, see paragraph 0037).

Regarding claims 4-5, 8, Hayashi discloses wherein the variation characteristic in the display form setting table (T1, see claim 4, see figs 10A-10C), and the road map data image is to be displayed in the form with an angular velocity (see paragraph 0037).

Regarding claims 10-11 and 18, Hayashi discloses wherein the display control section varies the display form in such a manner as to synchronize a rotation of a field of view in a driving direction of the vehicle and displayed on the image screen (see figures 4-5).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 19, and 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayashi (EP 0953826 A2 cited by applicant) in view of Endo et al. (US 5,917,436).

Hayashi discloses every feature of the claimed invention, and the display control section comprises traveling route direction that predicts a direction of the vehicle (see fig. 10A-10C), excluding the velocity-calculating section that calculated one of a circumferential velocity and angular velocity thereof, and a comparison data comparing the present traveling direction of the vehicle read from the road map image with forward bend situation of the present traveling

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direction. Endo et al. discloses a map display apparatus having velocity-calculating section that calculated one of a circumferential velocity and angular velocity thereof (see col. 8, lines 61-67, and col. 9, lines 1-7), and a comparison data comparing the present traveling direction of the vehicle read from the road map image with forward bend situation of the present traveling direction (see route guide, see col. 9, lines 47-50) It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teaching of using the velocity-calculating section that calculated one of a circumferential velocity and angular velocity thereof, and a comparison data comparing the present traveling direction of the vehicle read from the road map image of the present traveling direction. as taught by Endo et al. into the display system of Hayashi because this would calculate the position (X', Y') after driving of the mobile body from the initial position (X, Y), and notify to the user whether or not to drive straight or whether or not to turn right or left before passing by the a crossing.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hayashi (EP 0953826 A2 cited by Applicant) in view of Tanaka (US patent 6,470,265).

Hayashi discloses a display apparatus for an automotive vehicle as discussed above; however, Hayashi does not disclose wherein the display forms at least brightness. Kadaba et al. discloses a methods and apparatus for selecting a destination in a vehicle navigation system having a brightness (see figs. 6a-6b, see col. 8, lines 61-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the using of the display form at least brightness as taught by Kadaba into the system of Hayashi because this would perceive the quality of radiance or luminosity of a visible object in the display.

Allowable Subject Matter

6. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: None of the cited art teaches or suggests that a display apparatus for an automotive vehicle as claim 1, wherein the display control section varies the display form in such a manner as to superimpose the road map data image after the traveling direction of the vehicle is changed on that before the traveling direction of the vehicle is change to rotate the road map data image and vary gradually a superimposition ratio of the road map data image after the traveling direction of the vehicle is changed to the road map image data before the road map data image is changed as the time has passed from 10:0 to 0:10.

Response To Arguments

8. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number is (571) 272-7698. The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on (571) 272-7603. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimnhung Nguyen
March 23, 2005



ALEXANDER EISEN
PRIMARY EXAMINER
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